



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: March 27, 2018

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Jennifer Caira, Chief Planner for Current Planning

Cc: David O'Sullivan, Architect
Maria Santos, Applicant
Barney S. Heath, Director of Planning and Development
Ouida Young, Acting City Solicitor

RE: Request to amend Special Permit #129-16

Applicant: Maria Santos	
Site: 23 Howe Street	SBL: 81011A0037
Zoning: SR2	Lot Area: 6,591 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 23 Howe Road consists of a 6,591 square foot lot which is currently under reconstruction, having been the site of a 1929 colonial razed in 2009. The property received a special permit in 2009 to build a single-family dwelling exceeding the allowable FAR of .30. The special permit granted an FAR of .43 but was never exercised for economic reasons and expired. The Zoning Ordinance provisions regulating FAR were amended, and a second special permit was granted for the same proposed design, but a new FAR of .64, which exceeded the maximum of .46 allowed. The property has since changed hands and the new owner seeks to revise the plans. The new design will result in an FAR of .59, which while lower than the originally approved FAR, was deemed to be altered enough to require further review by the Council.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared by David O'Sullivan, architect, submitted 2/21/2018
- FAR Worksheet, submitted 2/21/2018
- Site Plan, signed and stamped by Joseph R. Porter, surveyor, dated 7/8/2009, revised 8/25/2009, 10/28/2009, 9/24/2015, 12/9/2015, 5/26/2016, 9/27/2016, 11/16, 2016, 3/9/2017

- Architectural Plans, signed and stamped by David O’Sullivan, architect, dated 8/15/2016, revised 4/7/2016, 8/12/2016, 1/12/2017, 3/20/2017, 11/13/2017

ADMINISTRATIVE DETERMINATIONS:

1. The applicant’s proposed single-family dwelling was granted a special permit in 2016 for an FAR of .62, where .44 was the maximum allowed. The petitioner is requesting an amendment to the existing Special Permit #129-16 to allow for changes in the design which result in a reduced FAR of .59. The proposed changes include removing proposed attic dormers, revising kitchen ceiling to redistribute the living area to larger second floor, and to enclose part of a patio for a sunroom.

SR2 Zone	Required	Existing*	Proposed
Lot Size	10,000 square feet	6,591 square feet	No change
Frontage	80 feet	80 feet	No change
Setbacks <ul style="list-style-type: none"> • Front (Howe Rd) • Front (Jane Rd) • Side • Rear 	25 feet 25 feet 7.5 feet 15 feet	20.2 feet 1.6 feet 13.1 feet	25.1 feet 25.5 feet 10.1 feet 15.9 feet
Building Height	36	21 feet	34.3 feet
Max Number of Stories	2.5	2.5	No change
FAR	.44	.62	.59
Max Lot Coverage	30%	21.4%	23.7%
Min. Open Space	50%	73%	67.3%

*Prior to demolition in 2009

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
	Request to amend Special Permit #129-16	S.P. per §7.3.3